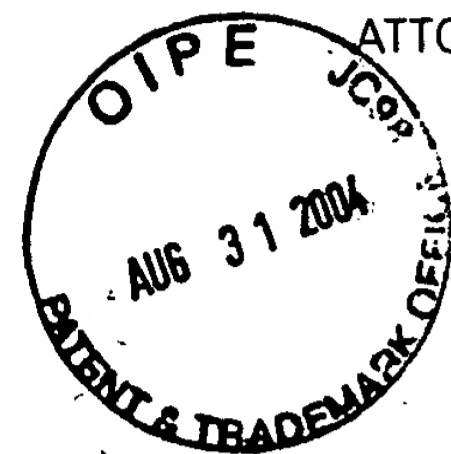


 **Sterne Kessler
Goldstein Fox**
ATTORNEYS AT LAW



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Lawrence B. Bugaisky
Donald J. Featherstone
Michael V. Messinger

Judith U. Kim
Timothy J. Shea, Jr.
Patrick E. Garrett
Jeffrey T. Helvey
Heidi L. Kraus
Albert L. Ferro*
Donald R. Banowit
Peter A. Jackman
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Eldora Ellison Floyd
Thomas C. Fiala
Brian J. Del Buono
Virgil Lee Beaston
Theodore A. Wood
Elizabeth J. Haanes

Joseph S. Ostroff
Frank R. Cottingham
Christine M. Lhulier
Rae Lynn Prengaman
George S. Bardmesser
Daniel A. Klein*
Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamage
Tracy L. Muller*
LuAnne M. DeSantis
Ann E. Summerfield
Tiera S. Coston
Aric W. Ledford*
Helene C. Carlson
Timothy A. Doyle*
Jessica L. Parezo
Gaby L. Longsworth*

Lori A. Gordon*
Nicole D. Dretar*
Ted J. Ebersole
Jyoti C. Iyer*
Laura A. Vogel

Registered Patent Agents*
Karen R. Markowicz
Nancy J. Leith
Matthew J. Dowd
Aaron L. Schwartz
Katrina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Teresa A. Colella
Jeffrey S. Lundgren
Victoria S. Rutherford
Michelle K. Holoubek

Robert H. DeSelms
Simon J. Elliott
Julie A. Heider
Mita Mukherjee
Scott M. Woodhouse
Michael G. Penn
Christopher J. Walsh

Of Counsel
Kenneth C. Bass III
Evan R. Smith
Marvin C. Guthrie

* Admitted only in Maryland
* Admitted only in Virginia
• Practice Limited to
Federal Agencies

August 31, 2004

WRITER'S DIRECT NUMBER:
(202) 772-8641

INTERNET ADDRESS:
HCARLSON@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Mail Stop: AF

Re: U.S. Utility Patent Application
Appl. No.: 09/845,157; Filed: May 1, 2001
For: **Thermostable Reverse Transcriptases and Uses Thereof**
Inventor: SMITH *et al.*
Our Ref: 0942.5040001/RWE/HCC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. PTO Fee Transmittal Form (PTO/SB/17);
2. Third Supplemental Information Disclosure Statement;
3. Form PTO-1449 citing 7 documents;
4. A copy of each of the 7 cited documents;
5. One return postcard; and
6. Credit Card Form (PTO-2038) in the amount of \$180.00 for the Information Disclosure Statement fee.


It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
August 31, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

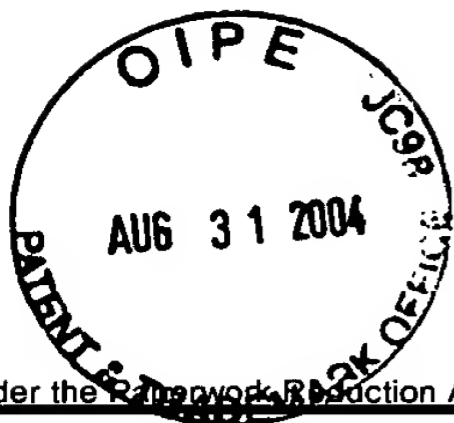
Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


for : Brian J. Del Buono Reg. No. 42,473
Helene C. Carlson
Agent for Applicants
Registration No. 47,473

RWE/HCC:eaf
Enclosures

290236_1.DOC



PTO/SB/17 (10-03)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number	09/845,157
Filing Date	May 1, 2001
First Named Inventor	Michael D. SMITH
Examiner Name	Fredman, Jeffrey Norman
Art Unit	1637
Attorney Docket No.	0942.5040001/RWE/HCC

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☒ Other** ☐ None
☐ *Charge any deficiencies or credit any overpayments in the fees to Deposit Acct. No. 19-0036.
Deposit Account Number: 19-0036
Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) or any underpayment of fee(s)
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims: 20 ** = 20 X Fee from below = Fee Paid
Independent Claims: 3 ** = 3 X Fee from below = Fee Paid
Multiple Dependent: Fee from below = Fee Paid

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	180.00
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Helene C. Carlson	Registration No. (Attorney/Agent)	42,473	Telephone	(202) 371-2600
Signature	<i>Helene C. Carlson</i>	Date	August 31, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

290,242



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SMITH *et al.*

Appl. No.: 09/845,157

Filed: May 1, 2001

For: **Thermostable Reverse
Transcriptases and Uses Thereof**

Confirmation No.: 2674

Art Unit: 1637

Examiner: Fredman, Jeffrey Norman

Atty. Docket: 0942.5040001/RWE/HCC

Third Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56 and 1.98. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Second Supplemental Information Disclosure Statement filed on January 16, 2003, in connection with the above-captioned application. A copy of each listed document is also enclosed.

In a telephone interview on May 18, 2004, Examiner Fredman agreed to consider this Information Disclosure statement because he had previously agreed to take no action in the case until after we had conducted an Interview and filed the Information Disclosure Statement. Applicants therefore respectfully request that this Information Disclosure Statement be considered despite a Final Office Action having been mailed.

Applicants would like to bring to the Examiner's attention cited Office Actions (Documents AT17-AR19) from the following co-pending application, which is directed to related technical matter:

U.S. Patent Application No. 09/808,124, filed March 15, 2001.

The identification of this Office Action is not to be construed as a waiver of secrecy as to the corresponding application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited Office Actions during prosecution of this application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.


This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. Applicants also enclose our Credit Card Payment Form (PTO-2038) in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

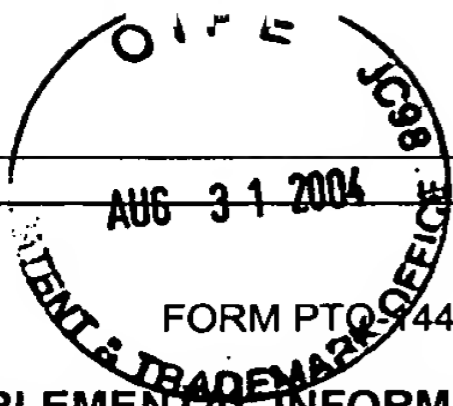
Respectfully submitted,

STERNE, KESSLER, GOLDSSTEIN & FOX P.L.L.C.


for: Brian J. Del Buono Reg. No. 42,473
Helene C. Carlson
Agent for Applicants
Registration No. 47,473

Date: August 31, 2004

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

ATTY. DOCKET NO.
0942.5040001/RWE/HCCAPPLICATION NO.
09/845,157

FORM PTO-449

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT**FIRST NAMED INVENTOR
SMITH *et al.*FILING DATE
May 1, 2001ART UNIT
1637**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM16	WO 01/68895 A1	09/20/2001	WIPO			Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR		
	AS	17	Pfeiffer, J.K., <i>et al.</i> , "Structure-Based Moloney Murine Leukemia Virus Reverse Transcriptase Mutants with Altered Intracellular Direct-Repeat Deletion Frequencies," <i>J. Virol.</i> 74:9629-9636, American Society for Microbiology (October 2000)
	AT	17	Copy of January 4, 2002, Office Action for U.S. Patent Application No. 09/808,124, Potter <i>et al.</i> , filed March 15, 2001

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

Page 2 of 3							
<p style="text-align: center;">FORM PTO-1449</p> <p style="text-align: center;">THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">ATTY. DOCKET NO. 0942.5040001/RWE/HCC</td> <td style="width: 50%;">APPLICATION NO. 09/845,157</td> </tr> <tr> <td colspan="2">FIRST NAMED INVENTOR SMITH <i>et al.</i></td> </tr> <tr> <td>FILING DATE May 1, 2001</td> <td>ART UNIT 1637</td> </tr> </table>	ATTY. DOCKET NO. 0942.5040001/RWE/HCC	APPLICATION NO. 09/845,157	FIRST NAMED INVENTOR SMITH <i>et al.</i>		FILING DATE May 1, 2001	ART UNIT 1637
ATTY. DOCKET NO. 0942.5040001/RWE/HCC	APPLICATION NO. 09/845,157						
FIRST NAMED INVENTOR SMITH <i>et al.</i>							
FILING DATE May 1, 2001	ART UNIT 1637						

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
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	AJ						
	AK						

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
	AR	<u>18</u>	Copy of May 22, 2002, Office Action for U.S. Patent Application No. 09/808,124, Potter <i>et al.</i> , filed March 15, 2001
	AS	<u>18</u>	Copy of December 3, 2002, Office Action for U.S. Patent Application No. 09/808,124, Potter <i>et al.</i> , filed March 15, 2001
	AT	<u>18</u>	Copy of August 1, 2003, Office Action for U.S. Patent Application No. 09/808,124, Potter <i>et al.</i> , filed March 15, 2001

EXAMINER	DATE CONSIDERED
<p>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.</p>	

FORM PTO-1449		Page 3 of 3	
THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT		ATTY. DOCKET NO. 0942.5040001/RWE/HCC	
		APPLICATION NO. 09/845,157	
		FIRST NAMED INVENTOR SMITH <i>et al.</i>	
FILING DATE May 1, 2001		ART UNIT 1637	

U.S. PATENT DOCUMENTS							
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	AJ						
	AK						

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
	AR	19	Copy of February 5, 2004, Office Action for U.S. Patent Application No. 09/808,124, Potter <i>et al.</i> , filed March 15, 2001
	AS		
	AT		

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	